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FISCAL IMPACT STATEMENT

LS 7429

BILL NUMBER: SB 1

NOTE PREPARED: Apr 30, 2013

BILL AMENDED: Apr 26, 2013

SUBJECT: School Resource Officers and School Safety.

FIRST AUTHOR: Sen. Miller Pete

FIRST SPONSOR: Rep. Torr

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill specifies how a school resource officer program may be established and sets forth duties and responsibilities for school resource officers. It provides that a person, before being appointed as a school resource officer, must successfully complete the training requirements for law enforcement officers and receive 40 hours of certified school resource officer training.

The bill establishes the Indiana Secured School Fund (Fund) under the administration of the Department of Homeland Security to provide matching grants to enable school corporations and charter schools to establish programs to:

1. Employ school resource officers;
2. Conduct threat assessments of school buildings; or
3. Purchase safety equipment and technology.

The bill creates the Secured School Safety Board to approve or disapprove applications for matching grants from the Fund and to develop best practices for school resource officers. It provides that a matching grant from the Fund may not exceed the following:

1. \$50,000 per year, in the case of a school corporation or charter school that has an ADM of at least 1,000 and is not applying jointly.
2. \$35,000 per year, in the case of a school corporation or charter school that has an ADM of less than 1,000 and is not applying jointly.
3. \$50,000 per year, in the case of a coalition of schools applying jointly.

The bill eliminates the authority to use money in the Safe Schools Fund for certain purposes.

The bill provides that in order to receive a matching grant, a school corporation or charter school must be located in a county that has a County School Safety Commission. It provides that a school safety plan is available, upon request, to a member of the Secured School Safety Board. The bill also requires a county School Safety Commission to receive school safety plans.

The bill requires a law enforcement agency to notify a school if a student is apprehended because a law enforcement officer had reasonable grounds to believe the student has a mental illness, is dangerous, and is in need of hospitalization and treatment. It requires a law enforcement agency to include training to law enforcement officers pertaining to school notification requirements.

The bill provides that for purposes of resisting law enforcement and disarming a law enforcement officer, a law enforcement officer includes a school resource officer, in certain situations, and a school corporation police officer.

The bill provides that the state shall indemnify a public school against a loss resulting from any injury to a person caused by a school resource officer if the loss was the result of misfeasance, malfeasance, or nonfeasance in connection with the use of the officer's weapon.

The bill provides that the statute regarding possession of a firearm on school property does not apply to a person who may legally possess a firearm and who has been authorized by a school board or body that administers a charter school to carry a firearm in or on school property.

The bill establishes the School Safety Interim Study Committee, which shall:

1. Study how to improve the safety of schools in Indiana;
2. Develop best practices for a school resource officer to employ in order to successfully carry out the officer's responsibilities; and
3. Study additional topics that the Legislative Council assigns.

Effective Date: Upon passage; July 1, 2013.

Explanation of State Expenditures: *Grant Program:* The impact of the bill would depend on appropriations by the General Assembly and the number of school corporations and charter schools, or coalitions of schools, that are awarded grants. There are about 365 school corporations and charter schools. There are about 122 school corporations and charter schools with less than 1,000 students. The maximum impact of the grant program would be about \$16.4 M if each school corporation and charter school individually applied for a grant.

Secured School Fund and Secured School Safety Board: The bill creates the Indiana Secured School Fund. The fund consists of appropriations by the General Assembly, grants from the Safe School Fund, federal grants, and amounts from private or public sources. The nonreverting fund is to be administered by the Department of Homeland Security and expenses of administering the fund are to be paid from money in the fund. Grants from the fund would be awarded by the Secured School Safety Board, which consists of the following 7 members:

1. The Executive Directory of the Department of Homeland Security or designee.
2. The Attorney General or designee.
3. The Superintendent of the State Police Department or designee .
4. A local law enforcement officer appointed by the Governor.

5. The State Superintendent of Public Instruction or designee.
6. The Director of the Criminal Justice Institute or designee.
7. An employee of a local school corporation or charter school appointed by the Governor.

The bill provides that the Safe School Fund could also be used to promote school safety through the use of dogs trained to detect illegal substances and to purchase other equipment and materials used to enhance school safety.

School Resource Officers- School resource officers without prior law enforcement training would have to complete the 15-week basic training course at the Indiana Law Enforcement Academy (ILEA) and pass 40 additional hours of school resource officer training via either the ILEA, the National Association of School Resource Officers, or another organization that offers certified instruction to school resource officers.

The impact of this provision on state expenditures would depend on the number of persons that may apply at the ILEA for the basic course, which is unknown.

Indemnification: The bill requires the state to indemnify public schools for liabilities resulting from the use or misuse of a school resource officer's weapon. It is unknown how much this liability might be.

Background: The average salary of a school resource officer is about \$50,000 annually. The cost of basic training for a law enforcement officer is about \$7,500 for 15 weeks of training. The state provides the training to local departments at no cost.

Additional training may be needed for a law enforcement officer to be a school resource officer. According to the National Association of school Resource Officers, the cost of 40 hours of school officer resource training is about \$495.

Including a school resources officer and a school corporation police officer in the law about resisting law enforcement and disarming a law enforcement officer should have minor impact.

Study Committee: This bill establishes a School Safety Interim Study. The committee is to operate under the policies governing study committees adopted by the Legislative Council. Legislative Council resolutions in the past have established budgets for interim study committees in the amount of \$9,500 per interim for committees with fewer than 16 members.

The bill requires committee membership to include:

1. An adolescent development expert or pediatrician.
2. A mental health professional.
3. A law enforcement official.
4. A school principal or superintendent.

The bill requires the committee to:

1. Study how to improve the safety of schools in Indiana.
2. Develop best practices for a school resource officer to employ in order to successfully carry out the officer's responsibilities.
3. Study any additional topics assigned by the Legislative Council.

Explanation of State Revenues:

Explanation of Local Expenditures *Local Law Enforcement Training*- The bill would require local law enforcement agencies to include training concerning the notification requirements of when a child is taken into custody for committing a crime or for need of hospitalization (due to apparent mental illness, presents a danger, and in need of treatment). Law enforcement agencies should be able to accomplish this provision within standard use of in-service training, either with an instructor/consultant or training video. Local expenditures could increase if payment is required for the training methods.

Explanation of Local Revenues:

State Agencies Affected: Attorney General; Criminal Justice Institute; State Budget Committee; Department of Homeland Security.

Local Agencies Affected: Local schools, local law enforcement agencies.

Information Sources: National Association of school Resource Officers website, <http://www.nasro.org/class-training> .

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